



MINUTES OF THE MILLVILLE TOWN COUNCIL MEETING

February 8, 2022 @ 7:00 P.M.

1. Call to Order:

Mayor Belinko called the meeting to order at 7:00 p.m. with the **Pledge of Allegiance**. **Present:** Council Members Sharon Brienza, Barbara Ryer, Robert Wisgirda, Steve Maneri, Town Manager Debbie Botchie (by phone), Town Solicitor Seth Thompson, Town Engineer Andrew Lyons, Code & Building Official Eric Evans, Administrative Assistant Jennifer Ireland, and Town Clerk Wendy Mardini.

2. Adoption of Town Council Meeting Minutes:

- A. January 11, 2022, Town Council Meeting
- B. January 11, 2022, Executive Session
- C. January 25, 2022, Town Council Meeting

Council Member Ryer made a motion to approve the above minutes. Seconded by Council Member Brienza. The motion carried unanimously 5-0.

3. Financial Report:

Council Member Barbara Ryer stated the following:

General Fund Revenue - \$103,838.00 - This is slightly down a minuscule amount due to fluctuation in building permits, subdivision fees, miscellaneous income, interest, and property taxes.

General Fund Expenditures - \$59,197.00 - This is primarily due to town park repairs, maintenance, the Grant to the Millville Fire Company and buildings and grounds.

Restricted Revenue - \$172,647.00 - This is up primarily due to the gross transfer tax.

Restricted Expense - \$153,729.00 - This is down a great deal due to the land purchase which was little over \$3 million.

Economic Development is up because of the Fire and Ice Festival in February 2022. General Interest Income is \$405.00 and Restricted Interest Income \$247.00. Six new CDs were purchased which was about \$1.5 million dollars and one for \$250,000.00.

At this time Mr. Guy Rickards, Millville Fire Chief, spoke to Council wherein he apologized for not being at the last meeting when the actual Grant was awarded and thanked the Council for same. He added that the money will go to the purchase of a new ambulance that has a cost of approximately \$400,000.00.

Mr. Greg Hocker, President of the Millville Fire Company, wanted to thank the Town of Millville for the generous Grant, acknowledging how helpful the Town has been to the Department in the past. He explained that their ambulances have approximately a 10 - 12-year lifespan. Right now, they are running at about 300,000 - 400,000 miles and are at the end of their life. They also have some fire trucks that must be replaced soon since they are going to be roughly 20 to 25 years old and have one that is 31 years old and needs to be replaced.

Mayor Ron Belinko thanked the Fire Company for all their hard work, noting the tremendous growth in the area and the expansion of their services. Mr. Hocker advised that their capital campaign was going as well as can be expected considering the effects of COVID-19. He noted that the Department has filed to switch from 501-C4 to 501-C3 and once that gets completed, then some of the bigger corporations will be able to donate to them and be able to write it off. He is hopeful that it will increase their donation part of the capital campaign. He also advised that their new building has a finished target date of June 2022.

Mr. Rickards also thanked the Town for allowing the fire staff to stay at the Town Hall building while their building was being completed.

4. **Administrative Matters:**

Town Manager, Debbie Botchie, confirmed that the Grant money can in fact be given to the Fire Department from the ARPA funds in the amount of approximately \$100,000.00. Ms. Botchie acknowledge that the Town staff has worked hard to put the Fire and Ice Festival together and looks forward to a wonderful weekend.

Ms. Botchie was excited to point out that the Town's revenue is at 122.66% of the Town's budget and that expenses were not at the 50% mark even into January. She commented that she was very proud of her staff and how the Town is collecting revenue.

5. **Mayor's Message:**

Mayor Belinko noted that he was excited about the Fire and Ice Festival taking place at Evans Park for the first time including a lot of activities for the public.

The Mayor also commented about the postal zip code situation and that we have been in contact with our U.S. Senators to help get us in the right direction by having the Town of Millville all within the same zip code of 19967.

6. **Citizens' Privilege:** - None

7. **New Business:**

A. **Public Hearing Notice-** Secretary Robert Wisgirda: Notice of the following public hearings was posted in the legal section of the January 21, 2022, issue of the Coastal Point, and on the Town website and bulletin board on January 24, 2022.

B. A final subdivision site plan submitted by Rob Plitko, LLC on behalf of Stafford Street Capital for the 135-lot subdivision known as Egret Shores. The 49.98-acre site is located on tax map parcel number 134-16.00-17.00 on Substation Road and is zoned Residential. ***Synopsis:** At its February 11, 2021, meeting the Planning & Zoning Commission voted 4-1 recommending to Town Council to approve the above-mentioned subdivision site plan, with the conditions of adding overhead weather coverings for the mail kiosks, an additional children's recreation amenity on the side of the community to the east of Substation Road, and to add crosswalks across Substation Road between the two subdivision entranceways.*

Council Member Ryer made a motion to go into public hearing for final subdivision site plan known as Egret Shores. Seconded by Council Member Wisgirda. The motion carried unanimously 5-0.

Public Hearing opened at 7:21 p.m.

Mr. Ray Blakeney, of Plitko, LLC, 53 Atlantic Avenue, Ocean View, DE advised that Plitko, LLC is representing Egret Shores located on either side of Substation Road with just under 50 acres in total. Mr. Blakeney added they are proposing 135 single family lots with amenity areas on both east and west sides of the development, a pool and clubhouse, pickleball courts and tot-lot on the west side of the development along with open areas for passive recreation.

He stated the community is served with central water by Tidewater Utilities and for sewer by Sussex County Utilities. As part of the DelDOT road widening improvements, they will be widening the road, putting in a protected left turn lane into the east side of the community and a right turn lane into the west side of the community as well as improving the shoulders on both sides of the road. He said there will also be a crosswalk that goes across Substation Road connecting the two entrances. Mr. Blakeney said they are still in the negotiation phase, or the approval phase with DelDOT, for the entrance and roadway improvements and the crosswalk is going to be subject to DelDOT's approval. They are currently working with them and doing a study on what would be

required to allow that crosswalk to happen, what additional safety devices might be required. They will have stormwater management on both sides with a detention pond. All the runoff drainage in the community will be collected subsurface and then just put into aerated ponds on both sides of the community.

Mr. Andrew Lyons of GMB stated this was approved by the Planning Commission on February 11th with a couple of recommendations. He referred to his last letter where there was one mistake, the additional detail was submitted regarding the mailbox covers and the additional pickleball courts were added to the other side. He believed the recommendation was for children's amenities because there was nothing on the one side of Substation Road where the developer did add pickleball courts and the crosswalk. He advised they have the approval from DelDOT on the approval of the entrances. The final construction plans do have to be recorded and approved before final construction comment from DelDOT. All the comments of code requirements are met. Mr. Lyons pointed out that this is a residential zoned community, and it is quite different from RPCs or MPCs on requirements for amenities and green space, noting that it is a single-family lot subdivision.

Council Member Ryer asked Mr. Blakeney about the landscaping, confirming there are approximately 229 trees and shrubs going in throughout the community and there would be berms installed. Mr. Blakeney confirmed same. Ms. Ryer also asked about the speed limit on Substation Road, and he said that DelDOT is going to reduce the speed to 35 mph. Ms. Ryer also asked if there was going to be signage regarding the entrance and Mr. Blakeney said yes, it was not on the plans yet because they did not know the exact location.

Ms. Ryer also asked about the agricultural ditch between lots 46 and 37, wanting to know if they had intentions of cleaning it up somewhat. He was not positive what was exactly going to happen there since he was not involved in any of the stormwater management.

Council Member Brienza concurred with Ms. Ryer regarding the speed limit of 35 mph and advised Mr. Blakeney that if he needed anything from the Town to get that accomplished, it would be available.

Council Member Maneri suggested that a tot-lot be put in between the open space located at Breakwater Lane and Blue Line Lane. Mr. Blakeney advised that would be up to the developer at this point.

Mayor Belinko suggested that the mailbox area be enclosed to avoid wind and rain and making it more comfortable for the residents to retrieve their mail. Mayor Belinko also suggested the pickleball courts be built on an 8" base instead of a 6" base due to soil conditions and to save on repairs. He also mentioned the crosswalks that are to be installed and impressed how important that was to the community and its safety. He mentioned the crosswalk at Bishops Landing that has not been installed yet and wants to continue to keep that issue at the

forefront. Mayor Belinko discussed keeping some of the natural grasses, plants and trees for the environment including butterflies. He stressed the importance of keeping some of the natural beach-like habitat untouched. Mr. Blakeney agreed and said that they can investigate working with the Sussex Conservation District regarding natural plantings and indigenous plants.

Town Manager Debbie Botchie cleared up the mentioned tax ditch, which is not a tax ditch, it is an agricultural ditch and can be filled in. She stated for the record there are many misconceptions in this regard and wanted to clear it up. She agreed with the Mayor regarding crosswalks and agreed with Council Member Maneri regarding installation of a tot-lot. Mr. Blakeney agreed and advised that the pickleball courts were moved with the idea of making the space a recreation area for adults and children.

Ms. Botchie advised the crosswalk Mayor Belinko referred to at Bishops Landing was previously approved by DelDOT and in conversations she had with DelDOT, Beazer was to install it but that has not come to fruition. Mayor Belinko said that this needs to be followed through on.

Council Member Ryer made a motion to close the public hearing. Seconded by Council Member Brienza. The motion carried unanimously 5-0.

Public Hearing was closed at 7:40 p.m.

C. Discuss, consider and possible vote on a final subdivision site plan for the proposed 135 residential lot community known as Egret Shores.

Council Member Wisgirda suggested that this should maybe be tabled to another meeting to clear up the suggestions. Ms. Brienza did not want to hold up the decision due to the crosswalk issue since it was unknown when they will get put in.

Mayor Belinko acknowledged that there were several suggestions including the mail area, the crosswalk, some plantings, additional tot lot, pickleball dimensions and depth of the base.

Code Enforcement Official Eric Evans spoke on the subject. He suggested the Council could make a motion with the stipulation that the tot-lot is put in, and that they use native plantings around the ponds. He did not think that it was the Town's decision to dictate how they build a pickleball court because it is their engineer that is making that decision.

Mr. Andrew Lyons of GMB commented that he would like to discuss the recommendations with Mr. Thompson since he would be hesitant in requiring certain items, remembering that this is an R-Zone and amenities are not required by Code. Adding if the Town requires something that is not actually required, it will potentially turn into a legal issue.

Town Solicitor, Seth Thompson, Esq. stated he was reviewing the Town's Code §155-10 and stated there are certainly permitted accessory uses related to things like playhouses, but that is different than being a requirement with respect to the RPC and the MPC. In terms of subdivision purposes, one of those things is to provide recreational activities. He concurs that the Town would be hard pressed to say they are not doing that. The applicant's position is that the pickleball court is not just for adults, but the kids also. He tends to agree with Mr. Lyons that there is nothing in the Code that mandates a certain level of recreational facilities when it comes to the R district. He also agreed with Mr. Lyons that Council could make recommendations regarding pickleball courts, tot-lots, and east-west direction vs. north-south direction, but not make it a requirement. Additionally, he commented crosswalks are not the Town's jurisdiction and therefore approval cannot be held up based on something that DelDOT ultimately decides.

Mr. Lyons advised the Town is working with the DelDOT Community Service Division regarding these types of matters. Mr. Thompson also stated he is seeing more towns moving forward in terms of passing resolutions requesting speed limit changes and Mr. Lyons confirmed that DelDOT is more open to hearing those. Ms. Brienza suggested that the Town draft a resolution regarding speed reduction on Substation Road and Burbage Road and present it at the next meeting.

Mr. Thompson said in summation that the motion should move forward including the following suggestions: pursuing the crosswalk, the coverage of the mailbox kiosks, looking at the base of the pickleball court, and addition of the tot-lot on the eastern side of the building.

Council Member Ryer made a motion to approve the plans as final with the following recommendations: add a tot-lot to the east side of the community, put native plants around the stormwater management pond, pursue the crosswalk with DelDOT, add coverage at the mailbox kiosks, change the direction of the pickleball courts, and extend the base of the pickleball court. Council Member Brienza seconded the motion.

Mayor Belinko asked for a roll call as follows:

<i>Robert Wisgirda</i>	<i>Yes</i>
<i>Sharon Brienza</i>	<i>Yes</i>
<i>Ron Belinko</i>	<i>Yes</i>
<i>Barbara Ryer</i>	<i>Yes</i>
<i>Steve Maneri</i>	<i>Yes</i>

The motion carried 5-0.

8. Citizens Privilege - None

6. Announcement of Next Meeting: Scheduled for February 22, 2022

7. **Adjournment**

Council Member Brienza motioned to adjourn, seconded by Council Member Ryer, to adjourn the meeting at 7:51 p.m. The motion carried unanimously 5-0.

Respectfully submitted,

WENDY MARDINI
Town Clerk